

3-30-01

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PTO/SB/05 (11-00)

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Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

EMC2-093PUS

First Inventor

Kenneth Sullivan

Title

DATA STORAGE SYSTEM HAVING CONCU

Express Mail Label No.

EF380711858US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
 2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
 3. ☒ Specification [Total Pages (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets - 5. Oath or Declaration [Total Pages - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.53(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. Patent Apl. Title Page
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: _____

Prior application information.

Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

022494

(Insert Customer Number or Bar Code Label here)

or ☐

Correspondence address below

Name

Richard M. Sharkansky

Address

Daly, Crowley & Mofford, LLP
275 Turnpike Street, Suite 101

City

Canton

State

MA

Zip Code

02021-2310

Country

US

Telephone

781.401.9988 ext. 21

Fax

781-401-9966

Name (Print/Type)

Richard M. Sharkansky

Registration No. (Attorney/Agent)

25,800

Signature

Date

March 29, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

36999 U.S. PTO

09/821485

03/29/01

J1093 U.S. PTO

03/29/01

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **750**

Complete if Known

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Kenneth Sullivan
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	EMC2-093PUS

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: **50-0845**
- Deposit Account Name: **Daly, Crowley & Mofford, LLP**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ **Payment Enclosed:**
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE				
Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee	Fee Paid
101	710	201 355 Utility filing fee		710
106	320	206 160 Design filing fee		
107	490	207 245 Plant filing fee		
108	710	208 355 Reissue filing fee		
114	150	214 75 Provisional filing fee		
SUBTOTAL (1)				(\$ 710)

2. EXTRA CLAIM FEES				
Total Claims	Extra Claims	Fee from below	Fee Paid	
9	-20** = 0	X 18	= 0	
2	-3** = 0	X 80	= 0	
Multiple Dependent				

Large Entity Small Entity				
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee	Fee Paid
103	18	203 9 Claims in excess of 20		
102	80	202 40 Independent claims in excess of 3		
104	270	204 135 Multiple dependent claim, if not paid		
109	80	209 40 ** Reissue independent claims over original patent		
110	18	210 9 ** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)				(\$ 0)


**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES				
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath		
127	50	227 25 Surcharge - late provisional filing fee or cover sheet		
139	130	139 130 Non-English specification		
147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination		
112	920*	112 920* Requesting publication of SIR prior to Examiner action		
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action		
115	110	215 55 Extension for reply within first month		
116	390	216 195 Extension for reply within second month		
117	890	217 445 Extension for reply within third month		
118	1,390	218 695 Extension for reply within fourth month		
128	1,890	228 945 Extension for reply within fifth month		
119	310	219 155 Notice of Appeal		
120	310	220 155 Filing a brief in support of an appeal		
121	270	221 135 Request for oral hearing		
138	1,510	138 1,510 Petition to institute a public use proceeding		
140	110	240 55 Petition to revive - unavoidable		
141	1,240	241 620 Petition to revive - unintentional		
142	1,240	242 620 Utility issue fee (or reissue)		
143	440	243 220 Design issue fee		
144	600	244 300 Plant issue fee		
122	130	122 130 Petitions to the Commissioner		
123	50	123 50 Petitions related to provisional applications		
126	240	126 240 Submission of Information Disclosure Stmt		
581	40	581 40 Recording each patent assignment per property (times number of properties)		40
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))		
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))		
179	710	279 355 Request for Continued Examination (RCE)		
169	900	169 900 Request for expedited examination of a design application		
Other fee (specify) _____				
SUBTOTAL (3)				(\$ 40)

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type)	Richard M. Sharkansky	Registration No. (Attorney/Agent)	25,800	Complete (if applicable)
Signature		Telephone	781.401.9988 ext. 23	
		Date	3/29/01	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PTO
09/821485
03/29/01

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Kenneth Sullivan

Title

DATA STORAGE SYSTEM HAVING CONCURRENT...

Atty Docket Number

EMC2-093PUS

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 29, 2001

Date



Signature

Richard M. Sharkansky

Typed or printed name

Reg. No. 25,800

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**